IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.155 OF 2001

Smt. Rajibai wd/o Rama Bhoir and ors. Appellants
Vs
Mukund Goma Patil and ors. Respondents.

Mr P.N.Karlekar, for the appellants.

Mr Shailendra Kanetkar, h/f Mr G.S.Godbole, for respondent nos 2 to 6.

CORAM : D.B.BHOSALE,J.
DATE : 22.01.2007.

PC:

1. Heard the learned counsel for the parties.

2. This appeal is by the plaintiffs challenging the judgment and order of the appeal court, by which the appellate court has restrained the respondents-defendants from obstructing the possession of the appellants-plaintiffs over one-half portion on the eastern side of the property and at the same time has also directed the appellants-plaintiffs to hand over the possession of the western one-half portion of the suit property to the defendants. The defendants had purchased one-half portion of the suit property on the western side by a registered sale deed. The judgment and decree is of 1998. No ad-interim relief was ever granted till this date. Keeping that in view and considering the findings of facts recorded by the courts

below, in my opinion, this second appeal deserves no interference as no substantial question of law is either involved or raised in this appeal. In the circumstances, this appeal is dismissed in limine.

(D.B.BHOSALE,J.)